

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ELAINE CUNNINGHAM-DIRKS, *et al.*,

2:12-CV-00590-PMP-VCF

Plaintiffs,

ORDER

v.

STATE OF NEVADA, *et al.*,

Defendants.

On November 25, 2013, the Court entered an Order (Docs. #97 & #98) granting Defendant Summerlin Hospital Medical Center LLC's Motion for Summary Judgment. Eleven days later, on December 6, 2013, Plaintiffs filed a Motion for Continuance (Doc. #99). Plaintiffs' Motion describes pro se Plaintiffs' medical condition and their difficulty in actively litigating this case. Plaintiffs explain that their failure to timely respond to Defendant Summerlin Hospital's Motion for Summary Judgment (Doc. # 91) resulted from the medical condition of Elaine Cunningham-Dirks. Although their Motion is styled as a "Request for Continuance", the Court views it effectively as a Motion to Stay these proceedings for a period of five (5) months. Acknowledging sympathy for Plaintiffs' medical condition, Defendant Summerlin Hospital nonetheless opposes Plaintiffs' Motion.

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1 The Court concludes, however, under the circumstances the relief requested
2 by Plaintiffs should be granted in part. Specifically,

3 **IT IS ORDERED** that Plaintiff's Motion (Doc. # 99) is GRANTED to the
4 extent that all further proceedings in this case are hereby STAYED to and including
5 May 1, 2014, and the Judgment (Doc. #98) entered November 25, 2013 is hereby
6 VACATED.

7 **IT IS FURTHER ORDERED** that Plaintiffs' obligation to file a Reply
8 Memorandum (See Doc. #100) to the instant Motion for Continuance is also
9 VACATED.

10 **IT IS FURTHER OFFERED** that Plaintiffs shall have until May 6, 2014
11 within which to file a Late Response to Defendant Summerlin Hospital's Motion for
12 Summary Judgment (Doc. #91). If no such Response is filed by May 6, 2014, the
13 Judgment (Doc. #98) previously entered will be reactivated. If an Opposition to
14 Defendants' Motion for Summary Judgment is filed by Plaintiffs on or before May 6,
15 2014, Defendant Summerlin Hospital shall have to and including May 20, 2014
16 within which to file a Supplemental Reply Memorandum whereupon the Court will
17 reconsider Defendants' Motion for Summary Judgment (Doc. #91) in light of any
18 Late Response filed by Plaintiffs.

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20 DATED this 23rd day of December, 2013.

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24 PHILIP M. PRO
25 United States District Judge
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